

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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MICHAEL PEREZ, :
Plaintiff, :
: 21 Civ. 11168 (LGS)
-against- :
: ORDER
BUYK CORP., et al., :
Defendants. :
:
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LORNA G. SCHOFIELD, District Judge:

WHEREAS, on September 21, 2022, Plaintiff filed the parties' executed settlement agreement and a letter seeking approval of the settlement agreement;

WHEREAS, on October 3, 2022, approval of the settlement agreement was denied because it contained an overly broad and vague release provision purporting to release all wage and hour claims, regardless of whether the claims related to those in this litigation, against a broad list of entities related to Defendant Food Start Inc.;

WHEREAS, on November 2, 2022, Plaintiff's counsel filed a revised settlement agreement with the only change being a revised release provision that limited the released claims to those "relating specifically to the wage and hour claims in this action." It is hereby

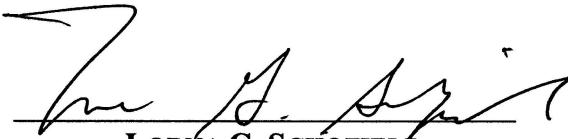
ORDERED that the settlement agreement is **APPROVED** as fair and reasonable based on the nature and scope of Plaintiff's claims and the risks and expenses involved in additional litigation. *See Cheeks v. Freeport Pancake House, Inc.*, 796 F.3d 199, 206-07 (2d Cir. 2015); *Wolinsky v. Scholastic, Inc.*, 900 F. Supp. 2d 332, 335-36 (S.D.N.Y. 2012) (outlining the factors that district courts have used to determine whether a proposed settlement is fair and reasonable). It is further

ORDERED that Plaintiff's counsel's request for \$3,724.80, of which \$587.20 is reimbursement for costs and the remainder of which is a reasonable attorney's fee, is

GRANTED. The Court finds this amount to be fair and reasonable in light of the quality of counsel, risks of litigation and the litigation's magnitude and complexity. The remainder of the settlement shall be distributed to Plaintiff.

The Clerk of Court is respectfully directed to close this case.

Dated: November 22, 2022
New York, New York



LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE